

REMARKS

Reconsideration and further examination of the subject patent application in view of the present Amendment and the following Remarks is respectfully requested. Claims 1-26 are currently pending in the application. Claims 1-26 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Pat. No. 6,970,915 to Partovi et al. ("Partovi") in view of EP 0903921 A2 to Foladare, et al. ("Foladare"). Claims 1, 10, 12, 16, and 23 have been amended for clarification. After careful review of the claims and references, it is believed that all the claims are in allowable form and a Notice of Allowance is therefore respectfully requested.

The independent claims 1, 12, and 16 are limited to "an administrator responsible for management of the call center" and to "providing information about the call center management to the administrator". An administrator of the call center is defined in the specification as a person who is "responsible for the management of the call center" (p. 5, lines 13-19). Information about the call center is described on p. 5, lines 20-26, and in the table on page 6 of the patent specification; and by examples such as at page 12, lines 16-19 of the specification.

Thus, independent claims 1, 12 and 16 are clearly limited to providing operational information about the call center management to the administrator. In contrast, Partovi is directed to providing streaming content to users. A system like Partovi would not want its customers to have access to administrator management data. The Office Action cites Fig. 5, element 512 but this just shows a "present content" box 512 in a flow diagram for providing personalized content not management operational information. The cited portions of Partovi at Col. 5, lines 15-30 merely describes that the system may adapt its voice character, and make purchase suggestions, but does not provide operational information to users about the call center

management (voice character/dialect information is not provided to the caller, it is used by the system) nor does it discuss providing information to an administrator. Similarly at Col. 15, lines 30-45 Partovi merely describes the customer ability to specify topics to be played to that specific customer, but call center management information is not provided. While Partovi provides information about users of a call center instead of about the call center management, Partovi does not disclose, or provide operational information about call center management as claimed.

Claim 1, 12, and 16 are also limited to providing information about the call center management to the “administrator responsible for management of the call center.” In contrast and as demonstrated above, Partovi fails to provide any teaching or suggestion of connecting to or providing information to “an administrator responsible for management of the call center.” The term “administrator” is well defined in the specification and claims, referring to one who is responsible for management of the call center (see P. 5, lines 13-19) which clearly excludes the customers of the information streaming system of Partovi. The cited portions of Partovi at Col. 4, lines 26-40 and Col. 15, lines 6-17 describes only the customer content selection, and customer profiles and personalization for that specific customer, not access by an administrator who manages the call center. In fact, the Partovi system isn’t even a call center, it is a system for providing streaming content to customers automatically over the telephone and thus doesn’t require the complex management required by a call center.

The Office Action concedes that Partovi does not disclose that users are administrators responsible for management of the call center but cites Foladore (Col. 1, line 56-Col. 2, lines 25-33) as teaching administrator (CSRs) responsible for management. However, CSRs are defined as remotely located customer service representatives (Col. 1, line 58-Col. 2, line 1). Customer

service representatives are well known in the art as agents of the call center (see Col. 1, lines 11-12) whose function is servicing calls from customers (see Col. 3, para. 0012), they are clearly not administrators. The Office Action appears to suggest that having call control commands makes them administrators. This is not supported by the well known definition in the call center art of administrators and agents. The call control called for by Foladore is merely the control for the call assigned to the agent by the call center well known to be used by agents (hold, transfer, etc.).

It does not concern control of the call center and does not involve providing operational information about call center management. Thus, Foladore merely describes agents, not administrators. Even if Foladore did teach “administrators,” it does not teach connecting them to a voice response unit, processing voice requests from the administrators or providing operational information to them. The addition of Foladore’s CSRs to the Partovi would result in adding useless agents to a system which doesn’t use agents. Even if the CSRs are characterized as administrators, this would merely provide Partovi’s system with administrators, it would not result in the claimed features without the use of hindsight. Thus, the combination of Partovi and Foladore does not teach all of the elements of the independent claims 1, 12 and 16.


Claims 10 and 18 recite learning of a pattern of regularly used access commands. In Partovi, the system is limited to adapting the voice character but does not describe learning a pattern of regularly used access commands of an administrator. Thus, this feature is also not disclosed by Partovi. Claims 11 and 23 recite that a barge in request (as described on page 12, lines 10-13), interrupts information requesting presentations. Partovi, as described at col. 7, lines 6-12 merely describes making of explicit selection in the user profile but not interruption of presentations. Thus, these claims 10, 11, 18 and 23 are believed to be further distinguishable

over Partovi and Foladore.

For the foregoing reasons, applicant submits that the subject application is in condition for allowance and earnestly solicits an early Notice of Allowance. Should the Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, the Examiner is respectfully requested to call the undersigned at the below-listed number.

The Commissioner is hereby authorized to charge any additional fee which may be required for this application under 37 C.F.R. §§ 1.16-1.18, including but not limited to the issue fee, or credit any overpayment, to Deposit Account No. 23-0920. Should no proper amount be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 23-0920. A duplicate copy of this sheet(s) is enclosed.

Respectfully submitted,
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